

**CITY COUNCIL MEETING
FORT WORTH, TEXAS
JUNE 21, 2005**

Date & Time On the 21st day of June, A.D., 2005, the City Council of the City of Fort Worth, Texas, met in regular session at 10:13 a.m. in the City Council Chamber, 1000 Throckmorton, with the following members and officers present:

Attendance Mayor Mike Moncrief; Mayor Pro tempore Chuck Silcox; Council Members Salvador Espino, Becky Haskin, Donavan Wheatfall, Carter Burdette, and Kathleen Hicks; City Manager Charles Boswell; City Attorney David Yett; City Secretary Marty Hendrix. Council Member Clyde Picht was absent and Council Member Wendy Davis was temporarily absent. With more than a quorum present, the following business was transacted:

Invocation The invocation was given by Pastor Laird Duran, Evangelical Lutheran Church.

Pledge The Pledge of Allegiance was recited.

Minutes On motion of Mayor Pro tempore Silcox, seconded by Council Member Haskin, the minutes of the regular meeting of June 14, 2005, were approved unanimously.

**Special
Presentations** Mayor Moncrief introduced Messers Anthony Butorac, member of the Youth Advisory Board, and Taylor Burdette, grandson of Council Member Carter Burdette.

(Council Member Davis assumed her chair at the dais.)

Mr. Butorac, 3812 Wosley Drive, Co-Chairman of the Youth Advisory Board, informed the Council and audience that the Youth Advisory Board was in the planning stages to host a Youth Town Hall Day on September 17, 2005. He stated that the town hall would have several sessions where the youth of the City could express their concerns to the Council.

Council Member Davis presented a Proclamation for Commute Solutions Season to Mr. Tim Keleher, Fort Worth Chamber of Commerce, and Mr. Dick Ruddell, Fort Worth Transportation Authority. Mr. Keleher expressed appreciation to the Council and the North Texas Clean Air Coalition for their commitment to cleaner air. Mr. Ruddell announced that The "T" would conduct the Free Fare Day campaign on July 6, 2005, to encourage everyone to take at least one trip that day on The "T" to promote cleaner air.

**Res. #3217-06-
2005
Canvass
Returns &
Declaration of
Results of
Runoff Election
Held on
June 11, 2005**

Marty Hendrix, City Secretary, advised the City Council that the official count of the City Council Runoff Election held on June 11, 2005, was completed and the returns of the runoff election, as reported by the presiding officers of each voting precinct who, upon their oath, stated the returns of their respective boxes were true and correct, as follows:

**RETURNS OF THE
RUNOFF ELECTION
JUNE 11, 2005**

Member of the City Council – District 6

Jungus Jordan	1,668
Byron de Sousa	1,608

Council Member Davis made a motion, seconded by Council Member Haskin, that the City Council adopt Resolution No. 3217-06-2005 canvassing the returns of the Runoff Election and declaring the results of the Runoff Election held on June 11, 2005, and finding correct that Jungus Jordan be elected to City Council District 6. The motion to approve the resolution canvassing the returns was adopted unanimously eight (8) ayes to zero (0) nays.

**Presentation of
Certificate of
Election**

Mayor Moncrief presented Jungus Jordan with his Certificate of Election. Mr. Jordan expressed appreciation to District 6 residents for electing him to represent them and added that he was very honored to serve.

Announcements

Council Member Wheatfall announced that he had been selected for jury duty on Tuesday, June 28, 2005. He stated that he would do whatever he could to ensure that District 5 residents were represented on the Council that day, but stated he did have to report there first.

Council Member Hicks expressed appreciation to everyone who attended one of the many successful Juneteenth events held in District 8 last week.

Council Member Burdette announced that he and City staff would conduct a meeting tonight at 6:30 p.m. at Redeemer Bible Church to address issues with granting gas well permits in the City. He stated that there would be an extensive explanation of how the process works and an exchange of thoughts and ideas with citizens in this area. He further stated that he was pleased his grandson, Taylor Burdette was in attendance.

Council Member Espino announced that there would be a District 2 breakfast at Los Alamos Restaurant on Saturday, June 25, 2005, at 8:30 a.m. and that everyone interested could call his office at (817) 392-8802 for more information.

Withdrawn from Consent Agenda	There were no items withdrawn from the consent agenda.
Continued/ Withdrawn By Staff	There were no items continued or withdrawn by staff.
Consent Agenda	On motion of Mayor Pro tempore Silcox, seconded by Council Member Burdette, the consent agenda was adopted unanimously.
Presentations by City Council	There were no changes presented by the City Council in memberships in the City's boards and commissions.
C.P. #254 Emergency Crime District Funding of Summer Programs Targeting Youth At-Risk	There was presented Council Proposal No. 254 proposing that the: <ol style="list-style-type: none">1. City Council authorize the City Manager to seek an emergency appropriation of funds not to exceed \$100,000.00 from the Crime Control and Prevention District to fund summer youth programs targeting youth at-risk;2. City Manager take the appropriate steps necessary to complete the public hearing process and to seek approval from the Crime Control and Prevention Board of Directors for these funds as soon as practicable;3. City Manager bring forward to the City Council an M&C awarding a contract to a collaboration of organizations including UMOJA, the Men and Women of POWER, Soldiers of Peace, the Nile Group, and the Near Northside Partnership Council for a contract period of July 1, 2005, through December 31, 2005, that targets youth at-risk; and4. City Manager fund the contract utilizing General Fund appropriations on an emergency basis through the fund balance to be reimbursed through Crime District funds once these funds are approved.

Assistant City Manager Joe Paniagua stated that, as requested in the Pre-Council Work Session, the Council Proposal was amended as follows:

There was presented Council Proposal No. 254 proposing that the:

1. City Council authorize the City Manager to seek an ~~emergency~~ appropriation of funds ~~not to exceed~~ *of not less than* \$100,000.00 from the Crime Control and Prevention District to fund summer youth programs targeting youth at-risk;
2. City Manager take the appropriate steps necessary to complete the public hearing process and to seek approval from the Crime Control and Prevention Board of Directors for these funds as soon as practicable;
3. City Manager bring forward to the City Council an M&C awarding a contract *or contracts* to a collaboration of organizations including, *but not limited to*, UMOJA, the Men and Women of POWER, Soldiers of Peace, the Nile Group, and the Near Northside Partnership Council for a contract period of July 1, 2005, through December 31, 2005, that targets youth at-risk; and
4. City Manager ~~fund~~ *propose funding of* the contract *or contracts* utilizing General Fund appropriations on an emergency basis through the fund balance to be reimbursed through Crime District funds once these funds are approved.

Luther Perry

Mr. Luther Perry, 5228 Blue Valley Court, appeared before Council in support of the Council Proposal. He stated that the organizations reflected in the proposal had been in existence for some time and had been quite successful in their gang intervention endeavors. He spoke about their Summer "CHILL" program and invited the Council to participate in a District 5 March on June 25, 2005, from 9:00 a.m. to 1:00 p.m.

Angela Lee

Ms. Angela M. Lee, 8728 Cover Meadow Lane, appeared before Council in support of the Council Proposal. She stated that her son was killed in April 2005 as a result of gang activity. She added that the proposal would provide needed funding to develop programs that would make a difference in the lives of children. She encouraged the Council to participate in the Stop the Violence March on June 25, 2005.

Mayor Moncrief also acknowledged the following individuals who completed citizen presentation cards, but did not wish to speak:

Roy Muhammad,	Mr. Roy Muhammad	3733 San Rose Drive
Cynthia Carter,	Ms. Cynthia Carter	5609 Rickenbacker Place
Aundrea	Ms. Aundrea Matthews	4850 Dunlap Drive
Matthews,	Mr. Johnny Cook	2809 Finley
Johnny Cook		

Council Member Wheatfall stated that the Council Proposal addressed a very serious issue and that he did not intend to overlook protocol or exclude input from other Council Members by bringing this problem forward. He added that he hoped this would not preclude the funding needed for these programs. He further stated he wanted to go forward with the amended language in the Council Proposal and to bring back an M&C for Council consideration next week.

Council Member Haskin stated that she supported the idea and concept, but only one that was inclusive of all districts and other programs. She pointed out the large number of gang members that live in her district. She expressed her concern for this amended proposal limiting the number of programs and the open-ended funding. She stated she could not support this proposal and indicated that the City Manager could bring forward the M&C without the Council Proposal.

Council Member Davis expressed condolences to Ms. Lee for her loss. She stated that she would support this issue as amended and requested that the Council be provided with a report on the budget of the proposed organizations to see what services they can provide for the funding amount. She added that she wants an organized effort.

Council Member Espino expressed appreciation to Council Member Wheatfall and the speakers for their heartfelt comments and to Council Member Davis for her insight. He requested that the M&C be flexible and inclusive of all districts and organizations. He added that the Council had always supported gang intervention.

Council Member Hicks stated that she supported this issue and added that a young honor student who attended school in Houston had been gunned down on Riverside and Berry for a \$50.00 Starter jacket. She further stated that this issue was about prevention in all areas of the City and urged the Council to look at this issue very closely.

Mayor Pro tempore Silcox indicated he supported many of the comments made and that he would support the Council Proposal amendment.

Council Member Burdette stated that he would support the proposal but expressed concern that the gang problem was a Citywide problem, not just a district problem. He added he is concerned with the funding amount and where it will go.

Council Member Wheatfall made a motion, seconded by Council Member Hicks, that the Council Proposal be adopted as amended. The motion carried seven (7) ayes to one (1) nay with Council Member Haskin casting the descending vote and Council Member Picht absent.

**Committee
Presentations**

There were no presentations or communications from boards, commissions and/or City Council Committees.

**Res. #3218-06-
2005
Appoint Cornelia
R. Mendez as
Substitute
Hearing Officer**

There was presented Resolution No. 3218-06-2005 appointing Cornelia R. Mendez as substitute hearing officer in the Parking Violations Bureau to serve for a two-year term, on an as needed basis during the absence of the Hearing Officer. Mayor Pro tempore Silcox made a motion, seconded by Council Member Burdette, that the resolution be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays.

**OCS-1492
Liability Bonds
Approval**

There was presented Mayor and Council Communication No. OCS-1492 from the Office of the City Secretary recommending that the City Council authorize the acceptance of these liability bonds, as follows:

PARKWAY CONTRACTOR

Alcorp Construction
Anderson Concrete Construction
Coronado Builders, Ltd.

DFW Concrete, Inc.
Espinoza Concrete Construction
General Concrete Contractor
Haws & Tingle, Ltd.

HC Smith, Inc.
Joshua's Roofing Company
JRM & Associates
Mario Garcia
Moreno Concrete

INSURANCE COMPANY

Texas Bonding Company
United Fire & Casualty Company
Merchants Bonding Company
(Mutual)
Western Surety Company
Western Surety Company
Western Surety Company
Merchants Bonding Company
(Mutual)
RLI Surety Division
Western Surety Company
Western Surety Company
Western Surety Company
Old Republic Surety Company

**Morgan Concrete
Orion Group
Pavecon, Ltd.
Quality Concrete
R J Construction
Ragon-Barnes General Contractors,
Inc.
Red Ryder Services
Shawn T. Mackey Construction, Inc.**

**SYB Construction Company, Inc.
TDH Construction, Inc.**

**Terry Lambert Concrete
The Concrete Construction Company**

**Uni-Tex Construction
Water, Earth Solutions & Technologies,
Inc.
Alaniz Bros. Concrete
B V E Precision Concrete
B.T. Construction, Inc.**

**Caterino Vasquez Concrete
Chas'n Concrete
Gene Walker & Son Concrete, Inc.
Jessie Maberry
Jesus Raul Rodriquez Concrete
JMC Concrete, Inc.
Jose Salinas
Manuel Rocha
Master Concrete Company, Inc.
Mustang Construction Services, Ltd.**

Osburn Contractors

**Paradis Brothers Construction
Potter Concrete, Ltd.**

Reeder Excavation & Concrete, LP

**Sheridan Homes, Inc.
Stovall Construction, Inc.
SVA Concrete Company
T.R.J. Construction Company
Texas Holiday Builders, LP dba
Holiday Builders
Woodhaven Homes
Wright Construction Company**

**Western Surety Company
Western Surety Company
Western Surety Company
Western Surety Company
Western Surety Company
RLI Surety Division**

**RLI Surety Division
State Farm Fire & Casualty
Company
Insurance Company of the West
Trinity Universal Insurance
Company
Western Surety Company
American Sates Insurance
Company
RLI Surety Division
Western Surety Company**

**Western Surety Company
Western Surety Company
American Sates Insurance
Company
Western Surety Company
RLI Surety Division
Western Surety Company
Western Surety Company
RLI Surety Division
Western Surety Company
Hartford Casualty Insurance
Company**

**Washington International
Insurance Company
RLI Surety Division
Merchants Bonding Company
(Mutual)
Guarantee Company of North
America USA
Old Republic Surety Company
RLI Surety Division
RLI Surety Division
Western Surety Company
RLI Surety Division**

**Old Republic Surety Company
Merchants Bonding Company
(Mutual)**

CANCELLATIONS

<u>CONTRACTOR'S BOND</u>	<u>CANCELLATION DATE</u>	<u>INSURANCE COMPANY</u>
B.T Construction Davis-Dyer-Max, Inc.	January 28, 2005	American States Insurance Company

It was the consensus of the City Council that the recommendation be adopted.

**OCS-1493
Claims** There was presented Mayor and Council Communication No. OCS-1493 from the Office of the City Secretary recommending that the City Council refer notices of claims regarding alleged damages and/or injuries to the Finance/Risk Management Department. It was the consensus of the City Council that the recommendation be adopted.

**OCS-1494
Res. #3219-06-
2005
Setting Regular
Zoning Hearing** There was presented Mayor and Council Communication No. OCS-1494 from the Office of the City Secretary recommending that the City Council adopt Resolution No. 3219-06-2005 setting the regular zoning hearing for July 19, 2005. Council Member Haskin made a motion, seconded by Council Member Wheatfall, that the resolution be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays.

**G-14832
Replace Surety
Policies for
Water and Sewer
System Debt
Service Reserve
Fund** There was presented Mayor and Council Communication No. G-14832 from the City Manager recommending that the City Council authorize the City Manager to sign the "Certificate" acknowledging the replacement of surety policies for three Water and Sewer bond issues and holding Financial Security Assurance harmless for any claims under the original policies. It was the consensus of the City Council that the recommendation be adopted.

(Council Member Wheatfall stepped away from the dais.)

**G-14833
Additional Surety
Coverage for
Water and Sewer
System Debt
Service Reserve
Fund from FSA** There was presented Mayor and Council Communication No. G-14833 from the City Manager recommending that the City Council authorize the purchase of additional surety coverage from Financial Security Assurance (FSA) for the Water and Sewer Revenue Debt Service Fund at a total cost of \$142,283.00. It was the consensus of the City Council that the recommendation be adopted.

**G-14834
Reject Bids for
HMAC Surface
Overlay (2005-
13) and
Readvertise
Project for Bid**

There was presented Mayor and Council Communication No. G-14834 from the City Manager recommending that the City Council reject all bids received for HMAC Surface Overlay (2005-13); and authorize readvertising the project for bid at the earliest possible convenience. It was the consensus of the City Council that the recommendation be adopted.

**G-14835
Semi-Annual
Impact Fees
Progress Report
of Water and
Wastewater
Capital
Improvements
Plan**

There was presented Mayor and Council Communication No. G-14835 from the City Manager recommending that the City Council adopt the Citizen Advisory Committee's Semi-Annual Progress report concerning the status of the Water and Wastewater Capital Improvements Plan Impact Fees. It was the consensus of the City Council that the recommendation be adopted.

**G-14836
Res. #3220-06-
2005
Increase
Payment to
Cantey & Hanger
for Legal
Representation
Concerning
SH121T**

There was presented Mayor and Council Communication No. G-14836 from the City Manager recommending that the City Council adopt Resolution No. 3220-06-2005 authorizing the maximum amount to be paid to Cantey & Hanger, to assist the City Attorney in representing the City of Fort Worth regarding legal issues including, but not limited to, real estate concerning SH121T, be increased to \$150,000.00.

City Attorney Yett stated that the recommendation section of the M&C needed to be amended as follows: "It is recommended that the City Council adopt the attached resolution authorizing..."

Mayor Pro tempore Silcox made a motion, seconded by Council Member Davis, that the recommendation be adopted as amended. The motion carried unanimously seven (7) ayes to zero (0) nays.

**G-14837
Partial Approval
of Historic Site
Tax Exemption
Pertaining to
Historically
Designated
Properties**

There was presented Mayor and Council Communication No. G-14837 from the City Manager recommending that the City Council approve the application from multiple property owners for partial approval of the Historic Site Tax Exemption for properties located at 1641 South Adams Street, 1944 5th Avenue, 1715 College Avenue, 2312 Harrison Avenue, 2343 Mistletoe Boulevard, 1024 Lilac Street, 2308 Mistletoe Boulevard, 2256 College Avenue, 1512 Lipscomb Street, 2104 Washington Avenue, 1810 5th Avenue and 2001 Pembroke Drive. Council Member Hicks made a motion, seconded by Council Member Davis, that the recommendation be adopted.

The motion carried unanimously seven (7) ayes to zero (0) nays.

**G-14838
Verify Historic
Site Tax
Exemption for
Various
Properties**

There was presented Mayor and Council Communication No. G-14838 from the City Manager recommending that the City Council approve the applications from multiple property owners for verification of the Historic Site Tax Exemption for 1401 South Adams Street, 1724 5th Avenue and 1810 5th Avenue. Council Member Davis made a motion, seconded by Council Member Espino, that the recommendation be adopted. The motion carried unanimously seven (7) ayes to zero (0) nays.

**P-10174
Water Meters,
Strainers and
Gaskets**

There was presented Mayor and Council Communication No. P-10174 from the City Manager recommending that the City Council authorize a purchase agreement for water meters with Master Meters, Inc. (Item 1), Sensus Metering Systems (Item 2), AMCO Water Metering Systems, Inc. (Items 3, 4, 6, 7, 9, 10, 14, 15, 21 through 23, 27 through 29), Hersey Meters Company (Items 5, 16, 17, 24, 25, 30, 31, with two percent discount if paid within 30 days), and Badger Meter, Inc. (Items 8, 11, 12, 18 through 20, 21A, 24A, 25A, 26 and 32), based on the low bid of unit prices meeting specifications and strainers and gaskets to fit the meters. Payment is due 30 days after receipt of invoice and freight included in the unit price; authorize this agreement to begin June 21, 2005, and expire June 20, 2006, with options to renew for two additional one-year periods; and authorize the City Manager to execute Interlocal Agreements allowing other public entities to participate in the bid award in accordance with the Local Government Code, Chapter 271.102, "Cooperative Purchasing Program". It was the consensus of the City Council that the recommendation be adopted.

**L-14107
Permanent
Drainage
Easement,
Permanent
Water
Easements,
Permanent
Sanitary Sewer
Easement and
Storm Water
Facility
Maintenance
Agreement**

There was presented Mayor and Council Communication No. L-14107 from the City Manager recommending that the City Council approve the acceptance of a permanent drainage easement described as A-1537, John Wagley Survey, Tarrant County, Texas, three permanent water easements described as A-487, Erasmus H. Elkins Survey, and A-53, James P. Alford Survey, Tarrant County, Texas, one permanent sanitary sewer easement described as A-487, Erasmus H. Elkins Survey, Tarrant County, Texas, and one Storm Water Facility Maintenance Agreement described as A-487, A-53, A-1798, Erasmus H. Elkins Survey, J.P. Alford Survey, and Robertson Survey, Tarrant County, Texas, from various owners located in far north Fort Worth (DOE 4554), necessary for the water, sewer and drainage improvements to service the Bar C Ranch Development, Phases I and 6A, just north of the TESCO (ONCOR) right-of-way, which will service the subdivision, located north of Bailey Boswell Road, east of Wagley Robertson Road, for a total cost of \$6.00. It was the consensus of the City Council that the recommendation be adopted.

**L-14108
Permanent
Sewer Line
Easement**

There was presented Mayor and Council Communication No. L-14108 from the City Manager recommending that the City Council approve the acceptance of one permanent sewer line easement described as a portion of the Alexander F. Albright Survey, Abstract No. 1849, Tarrant County, Texas, from Lewisville Partnership, LTD, for property located in northwest Fort Worth (DOE 4820), necessary for the construction, operation, maintenance and repair of sewer facilities to serve Longhorn Plaza, located south of Longhorn Road and east of old Decatur Road, at a total cost of \$1.00. It was the consensus of the City Council that the recommendation be adopted.

**L-14109
Tax Foreclosed
Properties**

There was presented Mayor and Council Communication No. L-14109 from the City Manager recommending that the City Council approve the sale of surplus tax foreclosure properties as described below, in accordance with Section 272.001 of the Texas Local Government Code for a total of \$45,510.00, and authorize the City Manager to execute the appropriate deeds conveying the properties to the highest bidder complying with bid specifications:

Address

2718 26th Street

1226 Ash Crescent Street

Legal Description

Lot 15, Block 101, Rosen Heights
Second Filing Addition

Lot 11 and North 42' of Lot 12,
Block 58, Highland to Glenwood
Addition

1901 Avenue C	Lot 13, Block 61, Highland to Glenwood Addition
1412 Belzise Terrace	Lot 8, Block 76, Highland to Glenwood Addition
355 Exeter Street	Mid Pt Lot 1 and West Mid Pt Lot 2, Block 37, Glenwood Addition
4205 Fain Street	Being .140 acres, more or less out of Abstract No. 1523, Lewis G. Tinsley Survey
1424 Jennings Avenue South	Lot 15R, Block 2, S.O. Moodie Subdivision Addition
0 Marian Avenue	Lot 6, Block 7, Ryan Southeast Addition
2907 Market Avenue	Lot 4, Block 11, Hill Addition

It was the consensus of the City Council that the recommendation be adopted.

**C-20796
BSG Pipeline,
Ltd.**

There was presented Mayor and Council Communication No. C-20796 from the City Manager recommending that the City Council authorize the City Manager to execute a Public Right-of-Way Use Agreement with BSG Pipeline, Ltd., that grants BSG a license to use a certain public right-of-way of the City of Fort Worth for the purpose of constructing, maintaining and operating a natural gas pipeline. It was the consensus of the City Council that the recommendation be adopted.

**C-20797
Feed By Grace**

There was presented Mayor and Council Communication No. C-20797 from the City Manager recommending that the City Council authorize the reallocation of \$49,659.00 in Year XXIX Community Development Block Grant Funds; authorize the City Manager to execute a contract with Feed By Grace not to exceed \$49,659.00 in Year XXIX Community Development Block Grants Funds for the Feed By Grace Work Program; authorize the contract period to begin June 1, 2005, and ending May 31, 2006; and authorize the option to extend the contract for up to one year. It was the consensus of the City Council that the recommendation be adopted.

**C-20798
Stroud Energy,
Ltd.**

There was presented Mayor and Council Communication No. C-20798 from the City Manager recommending that the City Council authorize the City Manager to execute a Public Right-of-Way Use Agreement with Stroud Energy, Ltd., that grants Stroud Energy a license to use a certain public right-of-way of the City of Fort Worth for the purpose of constructing, maintaining and operating a natural gas pipeline. It was the consensus of the City Council that the recommendation be adopted.

- C-20799
Tarrant County
Tax Assessor-
Collector** There was presented Mayor and Council Communication No. C-20799 from the City Manager recommending that the City Council authorize the City Manager to execute an agreement between the Tarrant County Tax Assessor-Collector and the City of Fort Worth for providing assessment and collection services of the Fort Worth Public Improvements Districts assessments levied by the City for the 2005 Tax Year covering the period October 1, 2005, to September 30, 2006. It was the consensus of the City Council that the recommendation be adopted.
- C-20800
Tarrant County
Tax Assessor-
Collector** There was presented Mayor and Council Communication No. C-20800 from the City Manager recommending that the City Council authorize the City Manager to execute an agreement between the Tarrant County Tax Assessor-Collector and the City of Fort Worth for providing assessment and collection services of ad valorem taxes levied by the City for the 2005 Tax Year covering the period October 1, 2005, to September 30, 2006. It was the consensus of the City Council that the recommendation be adopted.
- C-20801
Fort Worth
Economic
Development
Corporation** There was presented Mayor and Council Communication No. C-20801 from the City Manager recommending that the City Council approve the use of \$275,000.00 in Community Development Block Grant (CDBG) Year XXIX funds to re-capitalize the Fort Worth Economic Development Corporation Micro Loan program; and authorize the City Manager to extend and execute the agreement with the Fort Worth Economic Development Corporation for a fee not to exceed \$45,927.00 over a period of three years for loan origination and loan servicing activities for the Micro Loan program utilizing CDBG Year XXIX, XXX and XXXI funds. It was the consensus of the City Council that the recommendation be adopted.
- C-20802
Durable
Specialties, Inc.** There was presented Mayor and Council Communication No. C-20802 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Durable Specialties, Inc., in the amount of \$257,200.00 for the installation of four traffic signals at the intersections of Basswood Boulevard and Parkwood Hill Boulevard; Brentwood Stair Road and Woodhaven Boulevard/Wilson Road; Beach, Belknap and Yucca; and House-Anderson Road and Trinity Boulevard. It was the consensus of the City Council that the recommendation be adopted.

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| C-20803
Cornerstone
Appraisal
Company | There was presented Mayor and Council Communication No. C-20803 from the City Manager recommending that the City Council authorize the City Manager to execute a Real Estate Appraisal Review Contract with Cornerstone Appraisal Company, for review appraisal assignment, related to the acquisition of parcels in the North Runway Extension, northwest of Fort Worth Alliance Airport (DOE 3620), for an amount not to exceed \$7,800.00. It was the consensus of the City Council that the recommendation be adopted. |
| C-20804
Ord. #16478-06-
2005
Patco Utilities,
Inc. | There was presented Mayor and Council Communication No. C-20804 from the City Manager recommending that the City Council authorize the transfer of \$848,819.46 from the Water and Sewer Operating Fund to the Sewer Capital Project Fund; adopt Appropriation Ordinance No. 16478-06-2005 increasing estimated receipts and appropriations in the Sewer Capital Project Fund in the amount of \$848,819.46 from available funds for the purpose of funding a contract with Patco Utilities, Inc., for Sanitary Sewer Rehabilitation Contract LXV (65) Unit 3; and authorize the City Manager to execute a contract with Patco Utilities, Inc., in the amount of \$771,619.46, for Sanitary Sewer Rehabilitation Contract LXV (65), Unit 3. It was the consensus of the City Council that the recommendation be adopted. |
| C-20805
Union Pacific
Railroad
Company | There was presented Mayor and Council Communication No. C-20805 from the City Manager recommending that the City Council authorize the City Manager to enter into a Pipeline Crossing Agreement with Union Pacific Railroad Company, for a 24-inch water pipeline located at Railroad Mile Post 257.14 (DOE 4562), for a one time cost of \$1,763.00, which the developer will pay. It was the consensus of the City Council that the recommendation be adopted. |
| C-20806
Union Pacific
Railroad
Company | There was presented Mayor and Council Communication No. C-20806 from the City Manager recommending that the City Council authorize the City Manager to enter into a Pipeline Crossing Agreement with Union Pacific Railroad Company, for an encased 8" sanitary sewer pipeline crossing located at Railroad Mile Post 239.45 (DOE 4712), for a one-time cost of \$2,555.00, which the developer will pay. It was the consensus of the City Council that the recommendation be adopted. |

C-20807
Ord. #16479-06-
2005
Amendment #3
to CSC #29129 –
MWH Americas,
Inc.

There was presented Mayor and Council Communication No. C-20807 from the City Manager recommending that the City Council authorize the transfer of \$400,000.00 from the Water and Sewer Operating Fund to the Water Capital Project Fund; adopt Appropriation Ordinance No. 16479-06-2005 increasing estimated receipts and appropriations in the Water Capital Project Fund in the amount of \$400,000.00 from available funds for the purpose of funding Amendment No. 3 to the agreement with MWH Americas, Inc. (City Secretary Contract No. 29129), for the provision of services to develop additional Maintenance Management System (MMS) implementation and interface components; and authorize the City Manager to execute Amendment No. 3 to the agreement with MWH Americas, Inc. (City Secretary Contract No. 29129) for the provision of services to develop additional MMS implementation and interface components for a total cost not to exceed \$400,000.00. It was the consensus of the City Council that the recommendation be adopted.

C-20808
Ord. #16480-06-
2005
Tarrant County

There was presented Mayor and Council Communication No. C-20808 from the City Manager recommending that the City Council authorize the City Manager to enter into an Interlocal Agreement with Tarrant County for the construction of two playgrounds at Echo Lake Park at a cost to the County not to exceed \$170,000.00; and adopt Appropriation Ordinance No. 16480-06-2005 increasing estimated receipts and appropriations in the Park Improvement Fund in the amount of \$170,000.00 pending execution of the Interlocal Agreement with Tarrant County, for the purpose of funding two playgrounds at Echo Lake Park.

Council Member Davis stated that she just learned of this agreement when she read the M&C. She added that she had been working with the County for some time on the conditions of the park and was supportive of this initiative and appreciative of the County's efforts. She expressed concerns that the improvements to the park should be the result of input received from the involvement of the local community in that area, and she mentioned the construction of softball fields. She further stated that it had been discussed by the County that they would like to turn over the park to the City for continued use and maintenance. She further stated that she hoped the City could put together what such an agreement would look like in terms of what the City would expect park conditions to be when the City takes it over to ensure the City was not inheriting a massive amount of problems.

Mr. Randle Harwood, Interim Parks and Community Services Director, apologized to Council Member Davis for the oversight in the notification process about these improvements and stated that the City standards had been provided to the County. He added that these improvements only consisted of playground equipment that would bring the park up to National standards and stated there were no plans for softball fields.

Council Member Espino expressed his support of this issue and stated that Echo Park had been a great resource to the City, but that the park did need to be upgraded.
(Council Member Wheatfall returned to his chair at the dais.)

Council Member Hicks stated that the park bordered District 8 and requested that she be kept informed of any discussions relative to the park.

Council Member Hicks made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays.

**C-20809
Tarrant County**

There was presented Mayor and Council Communication No. C-20809 from the City Manager recommending that the City Council authorize the City Manager to enter into an Interlocal Agreement with Tarrant County to construct parking and road improvements at Marion Sansom Park in an amount not to exceed \$40,000.00. Council Member Davis made a motion, seconded by Council Member Burdette, that the recommendation be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays.

Zoning Hearing

It appeared to the City Council that the Notice of Public Hearing set today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 13896 and that notice of the hearing had been given by publication in the Commercial Recorder, the official newspaper of the City of Fort Worth, June 2, 2005, and June 3, 2005, respectively. Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

**ZC-05-101
Approved**

Council Member Davis made a motion, seconded by Council Member Wheatfall, that the application of the City of Fort Worth for a change in zoning of property located south of West Rosedale Street, west of College Avenue, east of Hurley Street, and north of Magnolia Avenue from "D" High Density Multi Family, "C-F" Community

Facilities, "E-R" Neighborhood Commercial Restricted, "E" Neighborhood Commercial, "F-R" General Commercial Restricted, "G" Intensive Commercial, "PD-538" and "PD-603" Planned Development to "PD/SU" Planned Development/Specific Use for all uses in "MU-1" Low Intensity Mixed Use, with waiver of site plan recommended, Zoning Docket No. ZC-05-101, be approved. The motion carried unanimously eight (8) ayes to zero (0) nays.

ZC-05-111
Approved

Council Member Hicks made a motion, seconded by Mayor Pro tempore Silcox, that the application of Sara Adams for a change in zoning of property located at 1200 through 1212 East Lancaster Avenue from "MU-2/HC" High Intensity Mixed Use/Historic Cultural to "MU-2/HSE" High Intensity Mixed Use/Highly Significant/Endangered, Zoning Docket No. ZC-05-111, be approved. The motion carried unanimously eight (8) ayes to zero (0) nays.

There being no one else present desiring to be heard in connection with the recommended changes and amendments to Zoning Ordinance No. 13896, Council Member Hicks made a motion, seconded by Mayor Pro tempore Silcox, that the hearing be closed and that the following ordinance be adopted:

ORDINANCE NO. 16481-06-2005

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, SAME BEING AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY RESIDENCE AND OTHER PURPOSES, THE HEIGHT, NUMBER OF STORIES AND SIZE OF THE BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS AND OTHER OPEN SPACES, OFF-STREET PARKING AND LOADING, AND THE DENSITY OF POPULATION, AND FOR SUCH PURPOSES DIVIDING THE MUNICIPALITY INTO DISTRICTS AND THE BOUNDARIES THEREOF UPON "DISTRICT MAPS"; PURPOSE AND CONFLICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR PUBLICATION AND NAMING AN EFFECTIVE DATE.

The motion carried unanimously eight (8) ayes to zero (0) nays.

**Citizen
Presentations
Adrienne Cherry**

Ms. Adrienne Cherry, 1712 San Rafael, appeared before Council relative to her treatment at a District 8 sub-courthouse when she submitted eviction documents for their action on property she owns. In further discussion, it was concluded Ms. Cherry was in District 6 and not District 8. She also expressed concern for the condition of her neighborhood stating that cars were parked on sidewalks and lawns. She also expressed frustration with area apartments and absentee landlords, and with having to call several departments within the City to resolve her concerns. She suggested there should be a one-stop area that could provide all answers.

Mayor Moncrief requested that Assistant City Manager Libby Watson and Carl Smart, Director of Code Compliance, meet with Ms. Cherry and address her concerns.

**Recessed Into
Pre-Council
Work Session**

Mayor Moncrief recessed the City Council at 11:22 a.m. to complete the Pre-Council Work Session.

**Executive
Session**

It was the consensus of the City Council that they recess into Executive Session at 12:22 p.m. to:

- 1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules as authorized by Section 551.071 of the Texas Government Code:**
 - a) Legal issues concerning any item listed on today's City Council meeting agendas; and**
- 2. Deliberate the purchase, sale, lease, or value of real property in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; and**
- 3. Deliberate concerning economic development negotiations as authorized by Section 551.087 of the Texas Government Code; and**
- 4. Deliberate the deployment, or specific occasions for implementation, of security personnel or devices, in accordance with Section 551.076 of the Texas Government Code.**

Reconvened The City Council reconvened into regular session at 12:32 p.m.

Adjournment There being no further business, the meeting was adjourned at 12:32 p.m.

These minutes approved by the Fort Worth City Council on the 28th day of June, 2005.

Attest:

Approved:

**Marty Hendrix
City Secretary**

**Michael J. Moncrief
Mayor**